

## REMARKS

Claims 9-17 remain pending in the present application. Claim 17 has been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

### Rejection Under 35 U.S.C. § 112

The Examiner has rejected Claim 17 under 35 U.S.C. § 112, second paragraph, alleging it to be indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has objected to the term "including" as being a transitional word in the claim which is not common in U.S. practice. While applicant disagrees with the Examiner's position, applicant has amended the claim to insert "comprising." Thus, applicant believes the Examiner's § 112 rejection to be moot. Accordingly, applicant respectfully requests the Examiner to withdraw the §112 rejection.

### Rejection Under 35 U.S.C. § 102(b)

The Examiner has rejected the claims under 35 U.S.C. § 102(b) alleging them to be anticipated by the Bourke reference. The Examiner alleges that Bourke discloses applicant's invention.

Applicant's independent claims claim a power tool that includes a body and a motor housed within the body. Also, the sole plate is pivotally attached to the body so that in at least one position the power saw acts as a jigsaw with the blade passing through the sole plate in use of the power saw as a jigsaw.

The Bourke reference relied on by the Examiner, fails to disclose or suggest applicants' invention. First, Bourke discloses and claims an adaptor for modifications of a drill. Bourke does not disclose a power tool which includes a body and a motor housed within the body. Next, Bourke illustrates a sole plate 14 which is pivotable in two positions. However, in Bourke, the sole plate does not act as a sole plate for a jigsaw. This is illustrated in Figure 3 where the sole plate 14 is illustrated

on the base of the mechanism. The blade 72 is beside the sole plate. The blade does not pass through the sole plate as claimed by applicants. Thus, the Bourke reference fails to disclose, suggest or meet the limitation of applicant's claims. Thus, the Bourke reference relied on by the Examiner fails to disclose or suggest applicant's invention. Accordingly, applicant believes Claims 9-17 to be patentably distinct over the Bourke reference.

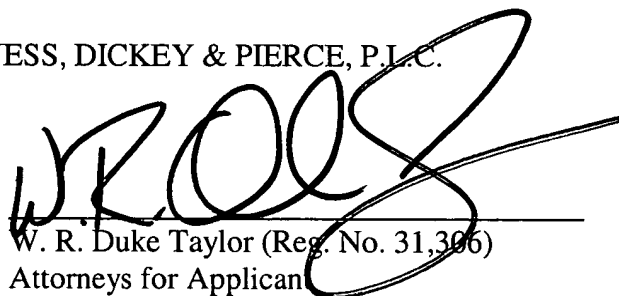
In light of the above amendments and remarks, applicant submits that all pending claims are in condition for allowance. Accordingly, applicant respectfully requests the Examiner pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present amendment, she should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

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